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CHRISTINA SANCHEZ

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

SECOND IMAGE, INC., a California  
corporation

Plaintiff,

vs.

RON SIN PHOTOCOPY, INC., a California  
Corporation; CHRISTINA SANCHEZ, an  
individual; and DOES 1-10

Defendants.

AND RELATED CROSS-CLAIM.

Case No. C 07 5242 PJH

**MOTION FOR RELIEF FROM ORDER  
SETTING INITIAL CASE  
MANAGEMENT CONFERENCE**

**Dept.: 3, Hon. Phyllis J. Hamilton**

**TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF  
RECORD:**

PLEASE TAKE NOTICE that defendant and cross-plaintiff CHRISTINA SANCHEZ (“Sanchez” or “defendant Sanchez”) hereby moves the Court for relief from the Order Setting the Initial Case Management Conference for January 17, 2008, and for an order re-setting the Initial Case Management Conference on February 28, 2008. Defendant Sanchez further moves the Court for an order that the last day for the parties to file Rule 26(f) Report and to file the Joint Case Management Statement be continued to February 18, 2008.

1 This motion is made pursuant to Fed. R. Civ. P. 6(b) and Local Rules 6-1, 6-3, 7-1  
2 and 16-2(d).

3 **MOTION**

4 A. The Court has ordered that the Initial Case Management Conference take place on  
5 January 17, 2008.

6 B. Defendant and cross-claim defendant RONSON PHOTOCOPY, INC. ("Ronsin"  
7 or "defendant Ronsin") moved to dismiss the Complaint based upon improper venue, failure  
8 to state a claim upon which relief can be granted and lack of subject matter jurisdiction or, in  
9 the alternative, to transfer for improper venue or, in the further alternative, to transfer for  
10 convenience.

11 C. The hearing on Ronsin's motion took place on December 19, 2007. At the  
12 conclusion of the hearing, the Court ordered that the Complaint of plaintiff SECOND  
13 IMAGE, INC. ("Second Image" or "Plaintiff") was deficient in certain particulars as claimed  
14 in Ronsin's motion. The Court gave plaintiff 30 days to file an Amended Complaint. The  
15 Court also gave the defendants Ronsin and Sanchez 20 days from their receipt of the  
16 Amended Complaint to file responsive pleadings.

17 D. Plaintiff filed a First Amended Complaint on December 28, 2007.

18 E. On January 4 and again on January 7, 2008 the parties met and conferred  
19 regarding a possible request to the Court that it continue the Initial Case Management  
20 Conference. Counsel for defendant Ronsin takes the position that the Initial Case  
21 Management Conference should be continued until the Court decides whether Ronsin is  
22 subject to the Court's jurisdiction. Counsel for defendant Ronsin and counsel for defendant  
23 Sanchez suggested that the parties stipulate to continue the Initial Case Management  
24 Conference. Counsel for plaintiff indicated that plaintiff is not willing to so stipulate.

25 F. Because defendants Ronsin and Sanchez have not yet filed pleadings responsive to  
26 the First Amended Complaint, because defendant Ronsin may again challenge the Court's  
27 jurisdiction, because defendant Sanchez is as yet unsure whether she will challenge the  
28 Court's jurisdiction, and because the parties have not yet met and conferred regarding

